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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Hoerl

Group Unit: 2664

Serial No.: 10/799,349

Examiner: TBA

Filed on: March 12, 2004

Attorney Docket No.: 644-053

For: SWITCHLESS KVM NETWORK WITH WIRELESS TECHNOLOGY

Honorable Commissioner of Patents and Trademarks
P.O. Box 1450
Alexandria, Virginia 22313-1450

TRANSMITTAL

S I R:

Submitted herewith is:

1. Renewed Petition to Correct Filing Date; and
2. Declaration in Support of Renewed Petition to Correct Filing Date.

Respectfully submitted,

Date: April 19, 2006

David M. Hill
Reg. No. 46,170
WARD & OLIVO
708 Third Avenue
New York, NY 10017
(212) 697-6262

CERTIFICATE UNDER 37 C.F.R. §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Honorable Commissioner of Patents and Trademarks, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date indicated below.

David M. Hill
(Name)

(Signature)

46,170
(Reg. No.)

04/19/06
(Date)



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: David Hoerl

Serial No.: 10/799,349

Group Art Unit: 2664

Filed: March 12, 2004

Examiner: TBD

For: SWITCHLESS KVM NETWORK
WITH WIRELESS TECHNOLOGY

Atty. Docket No.: 644-053

Honorable Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RENEWED PETITION TO CORRECT FILING DATE

S I R:

Applicant respectfully submits that the subject application, which was deposited with the United States Postal Service on March 12, 2004, has been assigned the incorrect filing date of March 13, 2004. Accordingly, applicant requests that the filing date be corrected to reflect the actual date of filing – March 12, 2004. Because this error was not due to any fault of the applicant, no fee for this petition is required.


In support of this petition, applicant submits herewith the attached declaration of David M. Hill, Esq. Based on the facts stated in the declaration, applicant further submits that the United States Postal Service Track/Confirm Receipt, which shows the “date-in” of the Express Mail package containing the subject application (attached as Exhibit 2 of the declaration), be deemed an acceptable substitute for the true copy of the Express Mail

mailing label showing the "date-in" as required under 37 CFR § 1.10(c)(3). Furthermore, applicant submits that the evidence clearly shows that the subject application should be given the filing date of March 12, 2004.

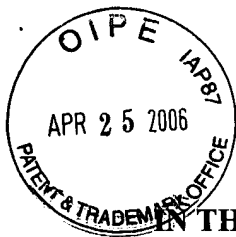
Consequently, applicant respectfully requests that the filing date of the subject application be corrected accordingly.

Date: 4/19/06

Respectfully Submitted,



David M. Hill
Reg. No. 46,170
Ward & Olivo
708 Third Avenue
New York, New York 10017
212-697-8512



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: David Hoerl

Serial No.: 10/799,349

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Examiner: TBD

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Atty. Docket No.: 644-053

Honorable Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**DECLARATION OF DAVID M. HILL, ESQ. IN SUPPORT
OF RENEWED PETITION TO CORRECT FILING DATE**

I, David M. Hill, hereby declare as follows:


1. Application serial number 10/799,349 was deposited with the United States Postal Service via its Express Mail Service on March 12, 2004;
2. A true and accurate copy of the Utility Patent Application Transmittal identifying that the above-referenced application was sent to the Patent Office on March 12, 2004 via United States Postal Service Express Mail Service using a label identified as No. ET547828495US is attached as Exhibit I;
3. The package with the above-referenced Express Mail mailing label was deposited in a United States Postal Service Express Mail Service Drop Box;
4. The above-referenced Express Mail mailing label showing the "date-in", as required under 37 CFR § 1.10(c)(3), was not returned to the applicant by the United States Postal Service; and

5. A true and accurate copy of the United States Postal Service Track/Confirm Receipt dated May 17, 2005, confirming that the package with the above-referenced Express Mail mailing label was received by the United States Postal Service in New York, New York on March 12, 2004 at 1:27 pm (i.e., 13:27) is attached as Exhibit 2.

I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: 4/19/06

Respectfully Submitted,



David M. Hill
Reg. No. 46,170
Ward & Olivo
708 Third Avenue
New York, New York 10017
212-697-8512



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PTO/SB/05 (08-03)

Approved for use through 07/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office. U.S. DEPARTMENT OF COMMERCE

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 644-053
First Inventor Hoerl
Title SWITCHLESS KVM NETWORK WITH WIRELESS TECHNOLOGY
Express Mail Label No. ET547828495US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

1. ☐ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 56]
(preferred arrangement set forth below)
 - Descriptive title of the invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the invention
 - Brief Summary of the invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 7]
5. Oath or Declaration [Total Sheets]
 - a. ☐ Newly executed (original or copy)
 - b. ☐ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)
 - i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s)
name in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. ☐ Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☐ Paper
 - c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement [Power of Attorney]
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure [Copies of IDS Citations]
Statement (IDS)/PTO-1449
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122
(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☐ Other:

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in the first sentence of the specification following the title, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.:

Prior application information:

Examiner

Art Unit:

For CONTINUATION OF DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

☐ Customer Number: OR ☒ Correspondence address below

Name	Ward & Olivo		
Address	708 Third Avenue		
City	New York	State	NY
Country	USA	Zip Code	10017
Telephone	(212)697-6262	Fax	(212)972-5866

Name (Print/Type)	John F. Ward	Registration No. (Attorney/Agent)	33,811
Signature		Date	March 12, 2004

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



Track/Confirm - Intranet Item Inquiry - Domestic

Item: ET54 7828 495U S

Date/Time Mailed: 03/12/2004 13:27

Destination	ZIP Code: 22313	City: ALEXANDRIA	State: VA
Origin	ZIP Code: 10017-3911	City: NEW YORK	State: NY

Class: Express Mail - PO to Addressee

Scheduled Delivery Date: 03/13/2004 12:00

Postage: \$17.85

Record Restored on 05/16/2005 : This signature/address image has been archived and is no longer available for viewing.

Delv Rqmt: Normal

Po Box?: Y

Event	Date	Time	Location	Scanner ID
DELIVERED	03/15/2004	08:14	ALEXANDRIA VA 22313	J829992
			Firm Name: PATENT OFFICE	
			Recipient : 'M BOSTON'	
			Request Delivery Record	
ARRIVAL AT PICK-UP-POINT	03/13/2004	08:36	ALEXANDRIA VA 22313	M341876
ARRIVAL AT UNIT	03/13/2004	08:11	DULLES VA 20102	M341876
ACCEPT OR PICKUP	03/12/2004	13:27	NEW YORK NY 10017	

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